

Mail Stop Interference  
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Filed 17 July 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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LINDA M. **WESTERN**,  
SAMUEL J. ROSE, and  
EDWIN F. ULLMAN,

Junior Party  
(Patents 6,121,001 and 6,110,677),

v.

JAMES E. **DAHLBERG**,  
MARY ANN D. LYAMICHEV, and  
VICTOR I. LYAMICHEV,

Senior Party  
(Application Patent 09/660,924).

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Patent Interference No. 105,521  
(Technology Center 1600)

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Before Lane, Medley, and Moore, Administrative Patent Judges.

Lane, Administrative Patent Judge.

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**Judgment - Request for Adverse - Bd.R. 127(b)**

Junior party Western has filed a request for adverse judgment (Paper 33).

Upon consideration of the record and for reasons given, it is

1                   **ORDERED** that judgment on priority as to Count 1, the sole count  
2 of the interference, is awarded against junior party LINDA M. WESTERN,  
3 SAMUEL J. ROSE, and EDWIN F. ULLMAN;

4                   **FURTHER ORDERED** that junior party LINDA M. WESTERN,  
5 SAMUEL J. ROSE, and EDWIN F. ULLMAN is not entitled to a patent containing  
6 claims 1-5, 27, and 28 of patent 6,121,001 and claims 1-11 of patent 6,110,677,  
7 which claims correspond to Count 1, the sole count of the interference (See  
8 Paper 1 at 5);

9                   **FURTHER ORDERED** that, if there is a settlement agreement, the  
10 parties are directed to 35 USC §135(c) and Bd.R. 205;

11                   **FURTHER ORDERED** that a copy of this judgment shall be entered  
12 into the administrative records of Western patents 6,121,001 and 6,110,677 and  
13 Dahlberg application 09/660,924.

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15	<u>/Sally Gardner Lane/</u>	)	
16	SALLY GARDNER LANE	)	
17	Administrative Patent Judge	)	
18		)	
19		)	
20	<u>/Sally C. Medley/</u>	)	BOARD OF PATENT
21	SALLY C. MEDLEY	)	APPEALS AND
22	Administrative Patent Judge	)	INTERFERENCES
23		)	
24		)	
25	<u>/James T. Moore/</u>	)	
26	JAMES T. MOORE	)	
27	Administrative Patent Judge	)	
28		)	

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